

# Minnesota Agricultural Water Quality Certification Program

*Certifying that Minnesota's farms  
and waters can prosper together*



**Matthew Wohlman**

**Minnesota Department of Agriculture**

United States Department of Agriculture

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# Memorandum of Understanding

- Supports development of a voluntary program
- Directs agencies to coordinate and prioritize funding
- Provides recognition and certainty to certified producers
- Established an Advisory Committee



*MOU signed by Governor Mark Dayton, USDA Secretary Tom Vilsack, and former EPA Administrator Lisa Jackson in 2012.*

# Advisory Committee

The committee submitted a series of recommendations presented in seven position papers:

- Pilot projects
- Program operations
- Program measurement tool
- Certainty
- Program data management
- Program incentives
- Program promotion



*Members of the MN Ag Water Quality Certification Program Advisory Committee.*

# Legislation

- Statute adopts Advisory Committee's recommendations
  - Pilot program up to 3 years
  - Evaluate progress
  - Provides regulatory certainty
- \$3 million appropriated from Clean Water Fund (biennium) to pilot the program



# Executive Action

- Builds on interagency partnership
- Commissioner of Agriculture shall sign certification contracts on behalf of other agencies with water authority
- Agencies shall honor contracts when implementing new water quality laws or rules

STATE OF MINNESOTA  
EXECUTIVE DEPARTMENT



MARK DAYTON  
GOVERNOR

Executive Order 14-09

Directing Agency Cooperation on the Minnesota Agricultural Water Quality  
Certification Program

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the power vested in me by the Constitution and applicable statutes do hereby issue this Executive Order:

Whereas, Minnesota farmers provide food, feed, fuel, and fiber for the Nation and the World, and agriculture is a cornerstone of Minnesota's economy;

Whereas, Minnesotans value the health of our rivers, lakes, streams, wetlands, and groundwater;

Whereas, we must continue to protect the environment while supporting economic development in the State of Minnesota;

Whereas, we seek to recognize the environmental stewardship of farmers and ranchers who implement and maintain desired soil and water practices;

Whereas, on January 17, 2012, I signed a historic Memorandum of Understanding with Thomas J. Vilsack, Secretary, U.S. Department of Agriculture and Lisa Jackson, Administrator, U.S. Environmental Protection Agency, pledging to work together to support the development of Minnesota's Agricultural Water Quality Certification Program;

Whereas, in 2013, the Minnesota Legislature passed Minnesota Statutes, sections 17.9891- 17.993, authorizing Minnesota Department of Agriculture, in consultation with Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, and Minnesota Board of Water and Soil Resources, to implement a Minnesota Agricultural Water Quality Certification Program;


Whereas, this voluntary program will first be piloted in selected watersheds across the state, until the Commissioner of Minnesota Department of Agriculture, in consultation with the Minnesota Agricultural Water Quality Certification Program Advisory Committee, the Commissioner of the



# Certification Contract

- Contract between the State of Minnesota and certified producer
- Defines certainty and grants it to producer
- Outlines duties a producer must perform to retain certification
- Field assessment records attached as appendix to contract

Certification Number \_\_\_\_\_



MINNESOTA  
WATER  
QUALITY  
CERTIFIED FARM

STATE OF MINNESOTA  
AGRICULTURAL WATER QUALITY CERTIFICATION AGREEMENT

This agreement is between \_\_\_\_\_ ("Producer") and the Minnesota Department of Agriculture ("MDA"), which is authorized to sign on behalf of the Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, and the Board of Water and Soil Resources pursuant to Minnesota Governor's Executive Order 14-09.

This contract is governed by Minnesota Statutes Sections 17.9891-17.993 which outline procedures for implementing the Minnesota Agricultural Water Quality Certification Program. All parties agree that the Minnesota Agricultural Water Quality Certification Program is in the public interest as it enhances the water quality of Minnesota's rivers, lakes, streams, wetlands and groundwater, as well as promotes and accelerates environmental stewardship by Minnesota's farmers.

**A. TERMS OF AGREEMENT:**

Agreement start date is \_\_\_\_\_ and expires on \_\_\_\_\_.

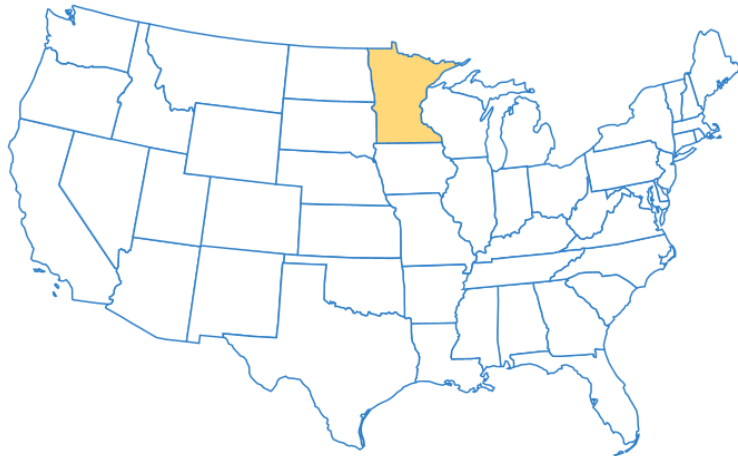
# What is “Certainty?”

- Not an exemption from existing rules and regulations
- Relevant to the land within an agricultural operation
- Conditional upon:
  - Implementation of recommended practices
  - Maintenance of practices during certification



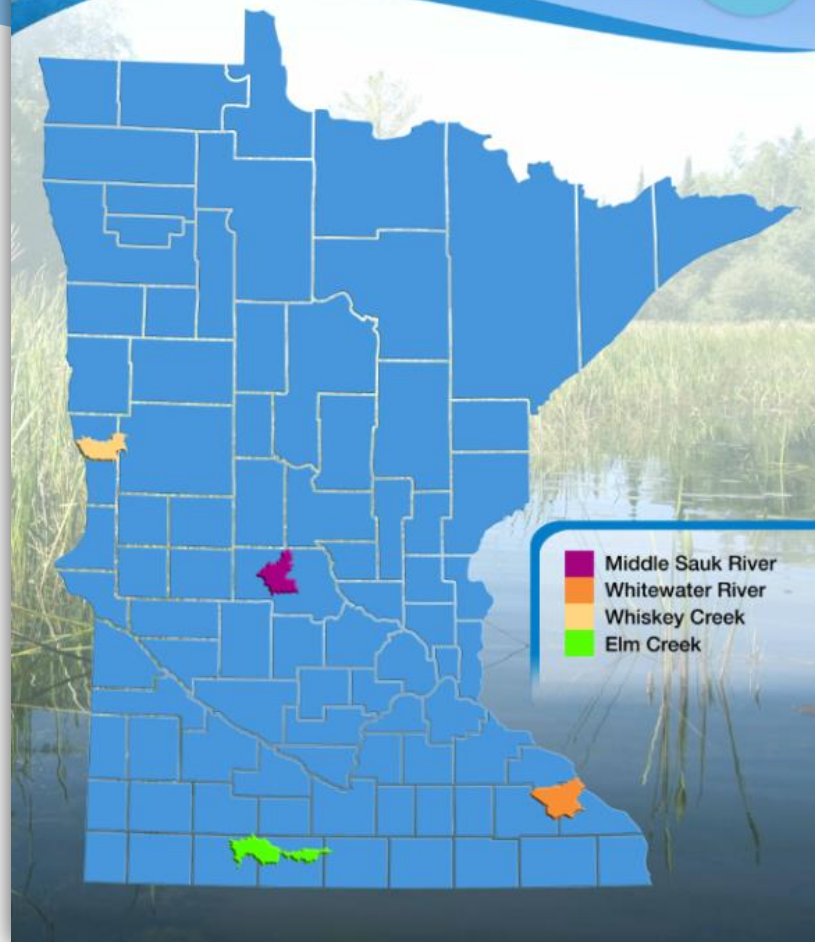
**Certainty = Insurance policy against moving regulatory goal post**

# Pilot Projects



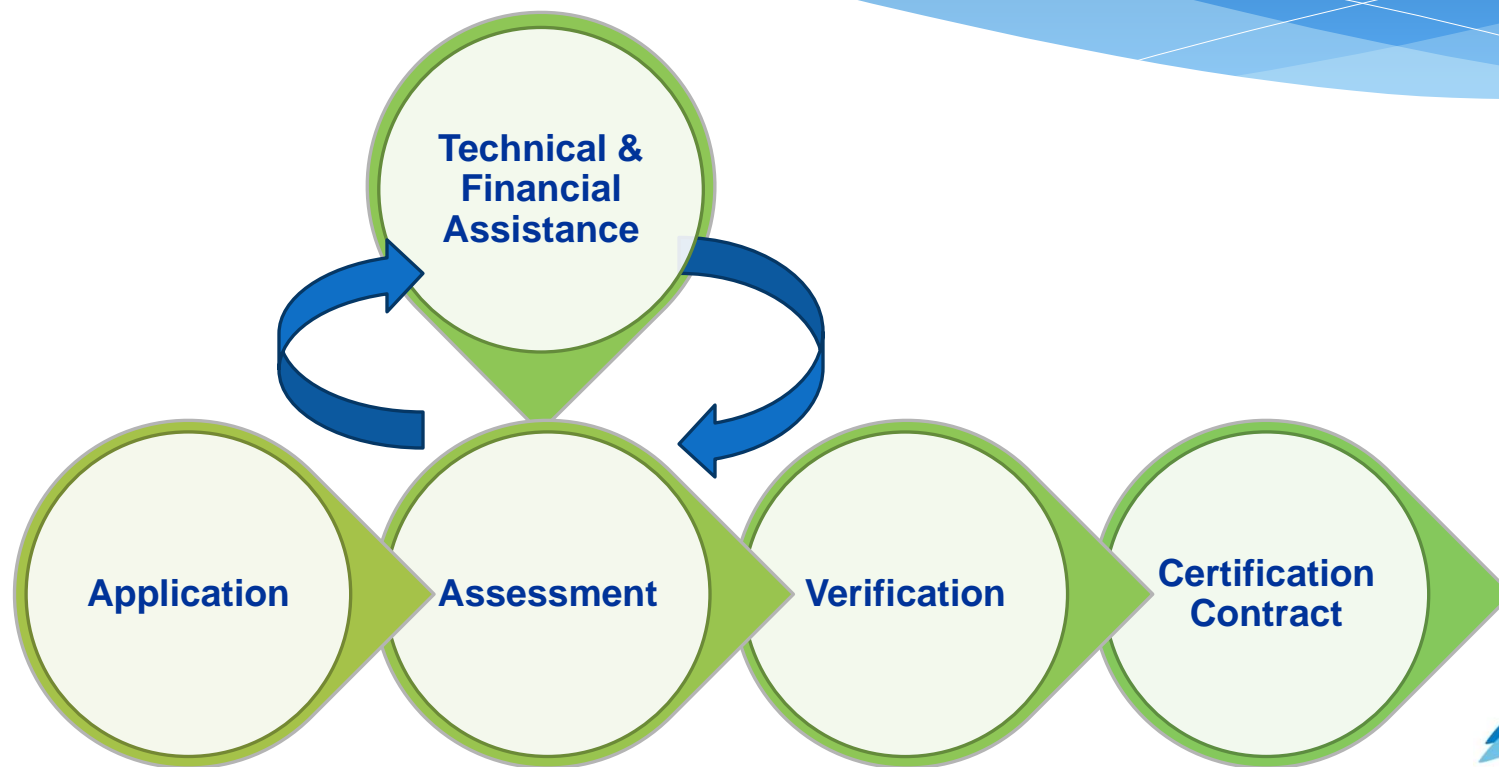
## Minnesota Agricultural Water Quality Certification Program

### Pilot Areas





# Certification Process



# Step1. Application

- Establishes **eligibility** for program resources
- Ensures **compliance** with existing water quality regulations

 Minnesota Department of Agriculture	625 Robert Street North, St. Paul, MN 55155-2538 www.mda.state.mn.us
Pesticide and Fertilizer Management, Ph: 651-201-6489	
Minnesota Agricultural Water Quality Certification Program Application	

This serves as formal application to participate in, and formal declaration of intent to achieve certification by, the Minnesota Agricultural Water Quality Certification Program (MAWQCP). Formal application for certification may provide priority attention and consideration for state and federal agency decisions involving technical and financial assistance to obtain certification. Completion of this application by the Applicant constitutes eligibility for any priority status provided in support of the Minnesota Agricultural Water Quality Certification Program.

The data collected during your participation in the Minnesota Agricultural Water Quality Certification Program will only be used in support of the program. You are not required to provide MDA with this data; however, failure to do so will result in your removal from the Agricultural Water Quality Certification Program. Only people with a need to access your data in support of the Agricultural Water Quality Certification Program will have the authority to access your data unless you provide MDA with informed consent to release the data, a court orders the release of the data, or upon request of a legislative auditor to review the data.

Applicant Full Name (Print) \_\_\_\_\_

Phone \_\_\_\_\_  
Zip \_\_\_\_\_

I am in compliance with all existing applicable state water protection rules and confirm compliance with the following existing

		Yes	N/A
1	Are you in compliance with Minnesota Administrative Rules Chapter 7020 – Animal Feedlots and, if applicable, do you have a valid National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) permit for your feedlot operation?	<input type="checkbox"/>	<input type="checkbox"/>
2	Are you in compliance with the Minnesota Wetlands Conservation Act (Minnesota Statutes Section 103G.221-103G.2375)?	<input type="checkbox"/>	<input type="checkbox"/>
3	Are you in compliance with Subsurface Sewage Treatment Systems (septic system) requirements (Minnesota statute 115.55 and 115.56)?	<input type="checkbox"/>	<input type="checkbox"/>
4	Are you in compliance with the Federal Insecticide, Fungicide, and Rodenticide Act and Minnesota statutes (18B, 18C, 18D, 103H) regarding pesticide and fertilizer distribution, use, storage, handling and disposal?	<input type="checkbox"/>	<input type="checkbox"/>
5	Are you in compliance with the local shore land management ordinance?	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	N/A
Animal Feedlots and, if applicable, do you have a valid NPDES/State Disposal System (SDS) permit for your feedlot operation?	<input type="checkbox"/>	<input type="checkbox"/>
Minnesota Statutes Section 103G.221-103G.2375 regarding Wetlands Conservation Act (Minnesota statute 115.55 and 115.56) regarding Subsurface Sewage Treatment Systems (septic system) requirements (Minnesota statute 115.55 and 115.56)?	<input type="checkbox"/>	<input type="checkbox"/>
Federal Insecticide, Fungicide, and Rodenticide Act and Minnesota statutes (18B, 18C, 18D, 103H) regarding pesticide and fertilizer distribution, use, storage, handling and disposal?	<input type="checkbox"/>	<input type="checkbox"/>

A representative can assist you with information on

eligibility for MAWQCP certification.  
(terms of your MAWQCP certification.)

(listing applicable state water protection rules and regulations.) I understand that I have priority status for technical and financial assistance to reach certification.

Applicant Name (Print) \_\_\_\_\_

Date \_\_\_\_\_

Applicant Signature \_\_\_\_\_

# Step 2. Assessment Tool

- Based on NRCS Ag Water Quality Index
- Each parcel is assessed for each crop
- A systems approach rather than one specific focus

The screenshot displays the 'Minnesota Agricultural Water Quality Certification Program' assessment tool. The interface is divided into several sections:

- Header:** A green banner at the top contains the program name and a small logo.
- Navigation Bar:** A blue bar below the header contains seven buttons: 'Field', 'Nutrient Mgmt', 'Tillage', 'Pest Mgmt', 'Base Score', 'Adjust', and 'Final'. The 'Field' button is currently selected.
- Section Header:** Below the navigation bar, the text 'Name - Field' and 'Field Physical Factors' is displayed.
- Form Fields:** On the left, there are four input fields for 'Slope', 'Hydrologic Soil Group', 'K-Factor', and 'Organic Matter Content'. Below these is a button labeled 'Select Rainfall/ Vegetation Cover'.
- Risk Index Score:** On the right, there are five input fields for the 'Risk Index Score'.
- Overall Score:** At the bottom, there is a field for the 'Field Physical Overall Risk Index Score'.
- Warning:** A small warning message at the bottom states: 'Warning: Save before you leave. This website does not save any information entered. When you close the browser window all info not saved to your computer will be lost.'
- Footer:** A green bar at the very bottom contains six buttons: 'Site Information', 'Field Physical Factors', 'Nutrient Management', 'Tillage & Pest Management', 'Irrigation/ Tile Drainage', and 'Conservation Practices'.

# Step 2. Assessment Tool

- Physical field characteristics
- Nutrient management
- Tillage management
- Pest management
- Irrigation and tile drainage management
- Conservation practices

The screenshot displays the 'Minnesota Agricultural Water Quality Certification Program' assessment tool. The interface is organized into a header, a score summary bar, a main assessment table, a summary section, a warning, and a navigation footer.

**Header:** The title bar is green with the program name and a logo on the left, and a menu icon and download icon on the right.

**Score Summary Bar:** A light blue bar showing the status 'Certification Eligible' in red. It includes a table of scores:

Field	Nutr. Mgmt	Tillage	Pest Mgmt	Base Score	Adjust	Final
1.89	2.50	2.00	2.50	8.89	9.61	9.61

**Main Assessment Table:** The table lists various management practices with dropdown menus for selection and input fields for the Risk Index Score. Each row includes a help icon, an information icon, and a grid icon.

Practice	Selection	Risk Index Score
Nitrogen Application Rate	MN BMP recommen...	3.00
Phosphorus Application Rate	UMN recommendation	3.00
Commercial Fertilizer Timing	Recommended	2.00
Commercial Fertilizer Source	Recommended	1.00
Commercial Fertilizer Placement	Recommended	1.00
Manure Application Timing & Placement	No Manure Applied	0
Nutrient Management		10.00

**Summary and Warning:** Below the table, the 'Overall Risk Index Score' is displayed as 10.00. A warning message states: 'Warning: Save before you leave. This website does not save any information entered. When you close the browser window all info not saved to your computer will be lost.'

**Navigation Footer:** A green bar at the bottom contains buttons for 'Site Information', 'Field Physical Factors', 'Nutrient Management', 'Tillage & Pest Managem...', 'Irrigation/Tile Drainage', and 'Conservation Practices'.

# Step 3. Field Verification

- Whole farm conservation planning
- Site-specific treatments
- Boots-on-the-ground conservation delivery





# Certification & Recognition



# Regional Conservation Partnership Program

- **\$9 million partnership** to deliver conservation
- Expands program implementation **statewide**
- EQIP, ACEP, CSP for producers seeking certification
- National demonstration project



*Program partners at the RCPP announcement.*



# Partners



Minnesota Pollution  
Control Agency



THE MCKNIGHT FOUNDATION



# Market-based Incentives

- The certification program is well suited for use in **market-based sustainability initiatives**
- Scientific-based certification process with **third-party verification** coming from public entity
- Could easily translate into measurement for
  - Payments for Ecosystem Services
  - Environmental offsets
  - Water quality trading
  - Branding (some certified farmers already using branding for their businesses)

# Questions?



[www.mda.state.mn.us/awqcp](http://www.mda.state.mn.us/awqcp)

**Matthew Wohlman**

Matthew.Wohlman@state.mn.us